



PATENT

42579

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	PATENT
Stephen EWER et al.	:	Confirmation No. 6098
Serial No.: 09/996,612	:	Customer No. 001609
Filed: November 30, 2001	:	Art Unit: 3729
For: METHOD OF CONNECTING RACEWAYS WITH OR WITHOUT A FITTING BASE	:	Examiner: A. Tugbang

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

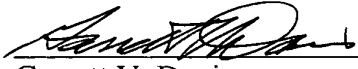
This is in response to the October 19, 2004 Office Action. In the Action, the application is restricted to Group I, including claims 22-41, and Group II, including claims 42-46. In response, Applicants elect the Group I claims, including claims 22-41, with traverse.

The Action suggests that the Group I claims have separate utility from the Group II claims since the Group I claims relate to a process for joining first and second raceways and third and fourth raceways. Claims 22 and 42 are both directed to a raceway assembly where the first and second raceways are coupled together to form a miter joint. Each independent claim also recites coupling the raceways to a curved base member. Thus, each of the claims recite the features noted in the Action which are relied on for the assertion that the Group I claims have a separate utility from the Group II claims. The utility referred to in the Action

is found in both Group I and Group II. Accordingly, the Action has not established that the Group I claims have a separate utility from the Group II claims.

In view of the above, Applicants submit that the restriction is improper and should be withdrawn.

Respectfully submitted,

  
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Dated: November 19, 2009